

ASSIGNED

Serial No. 52553

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

SEP 23 1988

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed..... Map filed. SEP 23 1988

The applicant. John Kieber

4885 Harrigan Rd. of Fallon
Street and No. or P.O. Box No. City or Town

Nevada 89406 hereby make.... application for permission to change the
State and Zip Code No.

a place of use of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Truckee-Carson Irrigation District No. 708-9,2203,703-2,
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

708-12 United States of America v. Orr Water Ditch Co. in Equity No. A.3 Claim No. 3;
identify right in Decree.)

United States of America v. Alpine Land & Reservoir Co. D.C. No. D-183 BRT

1. The source of water is Truckee River & Carson River
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 38.99 Ac. Ft.
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for as decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for as decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point Lahontan Dam being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$.
Describe as being within a 40-acre subdivision of public survey and by course and
Section 33, Township 19 North, Range 26 East, M.D.B.&M.
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within no change
If point of diversion is not changed, do not answer

7. Proposed place of use all in Sec.16,T.18N.R.28E.,M.D.B.&M. NE $\frac{1}{4}$ -NW $\frac{1}{4}$,10.44 ac.,SE $\frac{1}{4}$ -NW $\frac{1}{4}$,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
970ac.

8. Existing place of use all in Sec.30,T.19N,R.29E.,M.D.B.&M.SE $\frac{1}{4}$ -SE $\frac{1}{4}$,1.54 ac. all inSec.31
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
T.19N.,R.29E.,M.D.B.&M.,NE $\frac{1}{4}$ -NE $\frac{1}{4}$ 4.87 ac. all in Sec.32 T.19N.,R.29E.,M.D.B.&M.,
manner of use of irrigation permit, describe acreage to be removed from irrigation.
NE $\frac{1}{4}$ -NW $\frac{1}{4}$., 1.63 ac., NW $\frac{1}{4}$ -NW $\frac{1}{4}$,1.50ac. all in Sec.29 T.19N.29E.,M.D.B.&M. SE $\frac{1}{4}$ -SW $\frac{1}{4}$,
1.60 ac.

9. Use will be from as decreed to of each year.
Month and Day Month and Day

10. Use was permitted from as decreed to of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) dam, canal & ditches
State manner in which water is to be diverted, i.e., diversion structure, ditches,
pipes and flumes, or drilled well, etc.

12. Estimated cost of works complete

13. Estimated time required to construct works complete

14. Estimated time required to complete the application of water to beneficial use. 2 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be delivered to the proposed place of use via the "A" Line Canal.

/s/ Barry A. Fitzpatrick

By Barry A. Fitzpatrick S.W.R.S.817

141 Industrial Way

Fallon, NV 89406

Compared kh/se jr/vjw

Protested 10/17/88-The Pyramid Lake Paiute Tribe of Indians

Pro. Overruled 1/30/92;

See Ruling #3868

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

Permit terms: This permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is also issued subject to the State Engineer's Ruling No. 3868, dated 1-30-92.

The duty under this permit is further conditioned upon possible modification by the United States District Court of Nevada in pending litigation.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.26 cubic feet per second, but not to exceed 38.99 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before August 22, 1996

Proof of completion of work shall be filed before September 22, 1996

Application of water to beneficial use shall be made on or before August 22, 1998

Proof of the application of water to beneficial use shall be filed on or before September 22, 1998

Map in support of proof of beneficial use shall be filed on or before September 22, 1998

Completion of work filed OCT 17 1996

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 22nd of August

A.D. 19 94

[Signature]
State Engineer

WITHDRAWN BY APPLICANT SEP 13 2002
[Signature] STATE ENGINEER